

Message Text

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15

ACTION EB-07

INFO OCT-01 EA-09 ISO-00 SP-02 AID-05 NSC-05 CIEP-02

TRSE-00 SS-15 STR-04 OMB-01 CEA-01 CIAE-00 COME-00

FRB-01 INR-07 NSAE-00 USIA-15 XMB-04 OPIC-06 LAB-04

SIL-01 AGR-10 L-03 H-02 TAR-01 /106 W

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R 200823Z JAN 76

FM AMEMBASSY SEOUL

TO SECSTATE WASHDC 5067

UNCLAS SEOUL 0455

E.O. 11652: N/A

TAGS: BEXP, KS

SUBJ: SUNKIST TRADEMARK AND TECHNICAL ASSISTANCE PROBLEMS

REF: A) STATE 8118

B) WALLACE LETTER TO PERKINS AUGUST 12, 1975

C) SEOUL 5878

1. IN REPLY TO PARA 1 OF REF A, EMBOFF CONTACTED HAI TAI AND
WAS INFORMED HAI TAI WAS MANUFACTURING ORANGE JUICE UNDER
SUNKIST LABEL FOR SALE TO US FORCES KOREA, AND FOR EXPORT.
ALSO ORANGE JUICE FOR DOMESTIC SALES IS BEING PRODUCED AND SOLD
UNDER HAI TAI LABEL. PLANT REPORTED NO PROBLEM IN SUPPLY
OF ORANGES OF WHICH 50 PERCENT IS DOMESTIC AND 50 PERCENT
U.S. IMPORTED FROM SUNKIST.

2. COMMERCIAL CABLE TO AGATT RECEIVED 20 NOVEMBER 1975 INDICATED SUNKIST PRODUCTION MANAGER FROM US WAS IN KOREA TO PROVIDE TECHNICAL ASSISTANCE TO HAI TAI IN CONNECTION WITH OPERATION OF EXTRACTION PLANT AND APPEARS TO HAVE BEEN SUCCESSFUL.

3. WITH REGARD TO PARA 2, REF A. EMBOFF CALLED ON EPB REGARDING SUNKIST APPLICATION FOR 2 PERCENT ROYALTY PAYMENT FOR TECHNICAL UNCLASSIFIED

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ASSISTANCE FILED JUNE 11, 1975. APPLICATION WAS REFERRED TO
MINISTRY TRY CIENCE AND TECHNOLOGY WHICH SHOULD REPORT TO EPB
NEXT MONTH. EPB DECISION SHOULD BE FORTHCOMING IN FEBRUARY.
FYI: AS A MATTER OF GENERAL POLICY ROK GOVERNMENT STRICTLY
REGULATES LOCAL INDUSTRIES BUYING FOREIGN TRADE MARKS TO
OBTAIN TECHNICAL KNOW-HOW, AS REPORTED EARLIER.

4. REGARDING CHANGES IN ROKG TRADEMARK LAWS, REF C EXPLAINED
THE IMPLEMENTATION OF LATESTAMENDMENT TO TRADEMARK LAW WHICH
TOOK EFFECT JANUARY 1, 1974. SUNKIST AGREEMENT FOR EXCLUSIVE
TRADEMARK LICENSE TO HA TAI SIGNED MARCH 13, 1973, AND AMENDED
TO NON-EXCLUSIVE TRADEMARK LICENSE ON NOVEMBER 4, 1974.
APPLICATION TO EPB FOR TECHNOLOGY TRANSFER ROYALTIES SUBMITTED
JUNE 11, 1975, BY HAI TAI. EMBASSY FAILS TO UNDERSTAND RETROA-
CTIVE SATEMENT IN REF. A.

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Message Attributes

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Disposition Approved on Date:
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Margaret P. Grafeld
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